

Application Serial No. 09/994,283
In reply to Examiner interviews of January 11 and 27, 2005

PATENT
Docket: CU-2732

REMARKS/ARGUMENTS

Reconsideration is respectfully requested.

Claims 1-5 are pending in the present application before this amendment. By the present amendment, claims 1 and 3 have been amended. No new matter has been added.

In the final office action, claims 1-5 stand rejected under 35 U.S.C. §102(b) as being anticipated by Japanese Reference No. JP 10-268356 (Takebayashi).

At the outset, the applicants respectfully reassert all remarks made in the Response After Final filed October 14, 2005 and submit that the presently claimed invention is considered to have **overcome** all standing rejections over the cited Takebayashi reference. Among other arguments that have already been made and reasserted herein, Takebayashi FIGS. 1 and 3 teach each and every pixel in an active area, and FIGS. 2 and 5 show the cross sectional views of FIGS. 1 and 3 (along A-A) respectively. In these drawings and corresponding description, Takebayashi clearly teaches and suggests that the spacer 25 be placed ONLY in the active area.

Two Interview Summaries dated January 26 and 27, 2006 have been issued by the examiner. The attorney of the record has conducted examiner interviews on January 11 and 27, 2006, in both of which interviews, both the examiner and the attorney were in agreement that the pending claims 1-5, as amended, will overcome the standing rejections over the cited Takebayashi reference. An agreement for allowance, however, was not reached on grounds that the examiner may require an additional search before issuing a further action, which could be a Notice of Allowance. Therefore, the applicants submit herewith the present amendment together with an RCE to allow

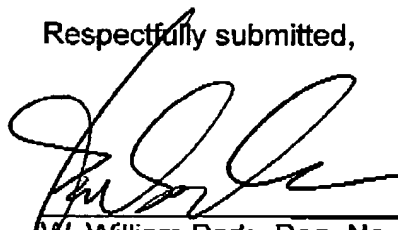
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the examiner to conduct an updated search, and when issuance of a Notice of Allowance is deemed to be proper after a search, the applicants respectfully request issuance of the Notice of Allowance.

For the reasons set forth above, the applicants respectfully submit that claims 1-5 pending in this application are in condition for allowance over the cited Takebayashi reference. Accordingly, the applicants respectfully request reconsideration and withdrawal of the outstanding rejections and earnestly solicit an indication of allowable subject matter in the next action. This amendment is considered to be responsive to all points raised in the office action. Should the examiner have any remaining questions or concerns, the examiner is encouraged to contact the undersigned attorney by telephone to expeditiously resolve such concerns.

Respectfully submitted,



Dated: February 7, 2006

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